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EXTRAORDINARY

PART II—Section 2

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HOUSE OF THE PEOPLE

The following Bill was introduced in the House of the People on the 17th February, 1954:—

BILL* No. 4 OF 1954

A Bill to impose upon the Barsi Light Railway Company, Limited, an obligation to make certain payments to the Central Government.

WHEREAS upon the determination on the 31st day of December, 1953, of the contract made on the 1st day of August, 1895, and all other contracts supplemental thereto between the Secretary of State in Council of India and the Barsi Light Railway Company, Limited, the Central Government will assume liability for all gratuities, or special contributions to the provident funds, and leave salaries of the employees of the said Company taken into employment by the Central Government in respect of the period of their service under the said Company;

AND WHEREAS it is necessary to impose upon the Barsi Light Railway Company, Limited, an obligation to make certain payments to the Central Government in requital for the assumption of this liability;

BE it enacted by Parliament as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Barsi Light Railway Company (Transferred Liabilities) Act, 1954.

(2) It shall be deemed to have come into force on the 31st day of December, 1953.

*The President has, in pursuance of clause (1) of article 117 of the Constitution of India, recommended to the House of the People the introduction of the Bill.

2. Definition.—In this Act “the Company” means the Barsi Light Railway Company, Limited.

3. Payment by Company to the Central Government.—The Company shall pay to the Central Government out of its assets such sum as on the 31st day of December, 1953, is sufficient to meet the payment of—

(a) all amounts payable as gratuities or as special contributions to provident funds, as the case may be, which, if the Company had continued to exist after the 31st day of December, 1953, it would have paid on or after that day under the normal operation of its rules to its employees then in service if their services had been terminated on that day by the abolition of their appointments; and

(b) all amounts payable by way of leave salary for such periods of leave as, if the Company had continued to exist after the 31st day of December, 1953, it would have sanctioned under the normal operation of its rules to its employees then in service if they had been permitted to proceed on leave on the 1st day of January, 1954, with permission to retire on the expiry of that leave.

4. Payments to employees out of money paid to Central Government.—The moneys paid to the Central Government under section 3 shall be utilised by the Central Government to effect payment to employees of the Company re-employed by the Central Government of the amounts referred to in clauses (a) and (b) of section 3 in accordance with the principles prescribed in the rules of the Company, or in the rules of the Central Government by which those rules may be replaced.

5. Repeal of Ordinance 7 of 1953.—The Barsi Light Railway Company (Transferred Liabilities) Ordinance, 1953 (7 of 1953) is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

On purchase of the undertaking of the Barsi Light Railway Company Ltd. on the 1st January, 1954, the staff of the Company was also taken over by the Government of India. In order to secure continuity of service of such staff under Government, it was necessary that the Company should pay to Government suitable sums to represent the accrued liability of the Company in regard to gratuity, Special Contribution to the Provident Fund and leave salary of the staff in respect of the period of service of such staff under the Company. To remove any legal incompetency on the part of the Company to make such payments an Ordinance entitled the Barsi Light Railway Company (Transferred Liabilities) Ordinance, 1953 was promulgated on the 31st December, 1953.

2. The said Ordinance made it obligatory on the Company to pay to the Central Government out of the Company's assets such sum as would be sufficient to meet the payment of the Company's accrued liability referred to above. The present Bill seeks to replace the Ordinance.

NEW DELHI;

The 12th February, 1954.

O. V. ALAGESAN.

M. N. KAUL, Secy.

